



**Zoning Public Hearing
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: Z-13
AGENDA DATE: Thu 03/04/2004
PAGE: 1 of 1**

SUBJECT: C14-03-0183 - St. Albert the Great Catholic Church - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12041 Bittern Hollow (Walnut Creek Watershed) from single family standard lot (SF-2) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited office-conditional overlay (LO-CO) combining district zoning. Applicant: Catholic Diocese of Austin (Gregory Aymond). Agent: Bury and Partners (James Schissler). City Staff: Glenn Rhoades, 974-2775.

REQUESTING Neighborhood Planning
DEPARTMENT: and Zoning

DIRECTOR'S
AUTHORIZATION: Greg Guernsey

ZONING CHANGE REVIEW SHEET

CASE: C14-03-0183

Z.A.P. DATE: February 3, 2004

ADDRESS: 12041 Bittern Hollow

C.C. DATE: March 4, 2004

OWNER: Catholic Diocese of Austin
(Gregory Aymond)

AGENT: Bury and Partners
(James Schissler)

ZONING FROM: SF-2

TO: LO-CO

AREA: 8.85 acres

SUMMARY STAFF RECOMMENDATION:

Staff's alternate recommendation is LO-CO, Limited Office-Conditional Overlay district zoning. The conditional overlay will limit the property to 2,000 per day.

ZONING AND PLATTING COMMISSION RECOMMENDATION:

February 3, 2003 – Approved LO-CO, Limited Office-Conditional Overlay district zoning). In addition to the 2,000 vehicle trip limit, Commission recommends the following uses be prohibited:

Art and Craft Studio (limited)
Medical Offices (less than 5,000 sq. ft.)
Convalescent Services

Communications Services
Medical Offices (exceeding 5,000 sq. ft.)
Cultural Services

Vote: 9-0.

The applicant agrees with the Commission's recommendation.

DEPARTMENT COMMENTS:

The applicant is requesting the proposed change in order to construct a Sunday School and additional parking.

EXISTING ZONING AND LAND USES:

	ZONING	LAND USES
<i>Site</i>	LO	Church
<i>North</i>	MF-2-CO and MF-3-CO	Apartments
<i>South</i>	SF-2	Single Family
<i>East</i>	MF-2-CO	Apartments
<i>West</i>	LO	Nursing Home

AREA STUDY: N/A

TIA: N/A

WATERSHED: Walnut Creek

DESIRED DEVELOPMENT ZONE: Yes

CAPITOL VIEW CORRIDOR: N/A

HILL COUNTRY ROADWAY: N/A

NEIGHBORHOOD ORGANIZATIONS:

#064 – River Oaks Lakes Estates
#114 – North Growth Corridor Alliance
#511 – Austin Neighborhoods Council

CASE HISTORIES:

There have been no recent zoning cases in the immediate vicinity.

ABUTTING STREETS:

NAME	ROW	PAVEMENT	CLASSIFICATION	DAILY TRAFFIC
Metric Boulevard	100'	2@30'	Arterial	N/A
Bittern Hollow	64'	44'	Collector	N/A

CITY COUNCIL DATE: March 4, 2004

ACTION:

ORDINANCE READINGS: 1st

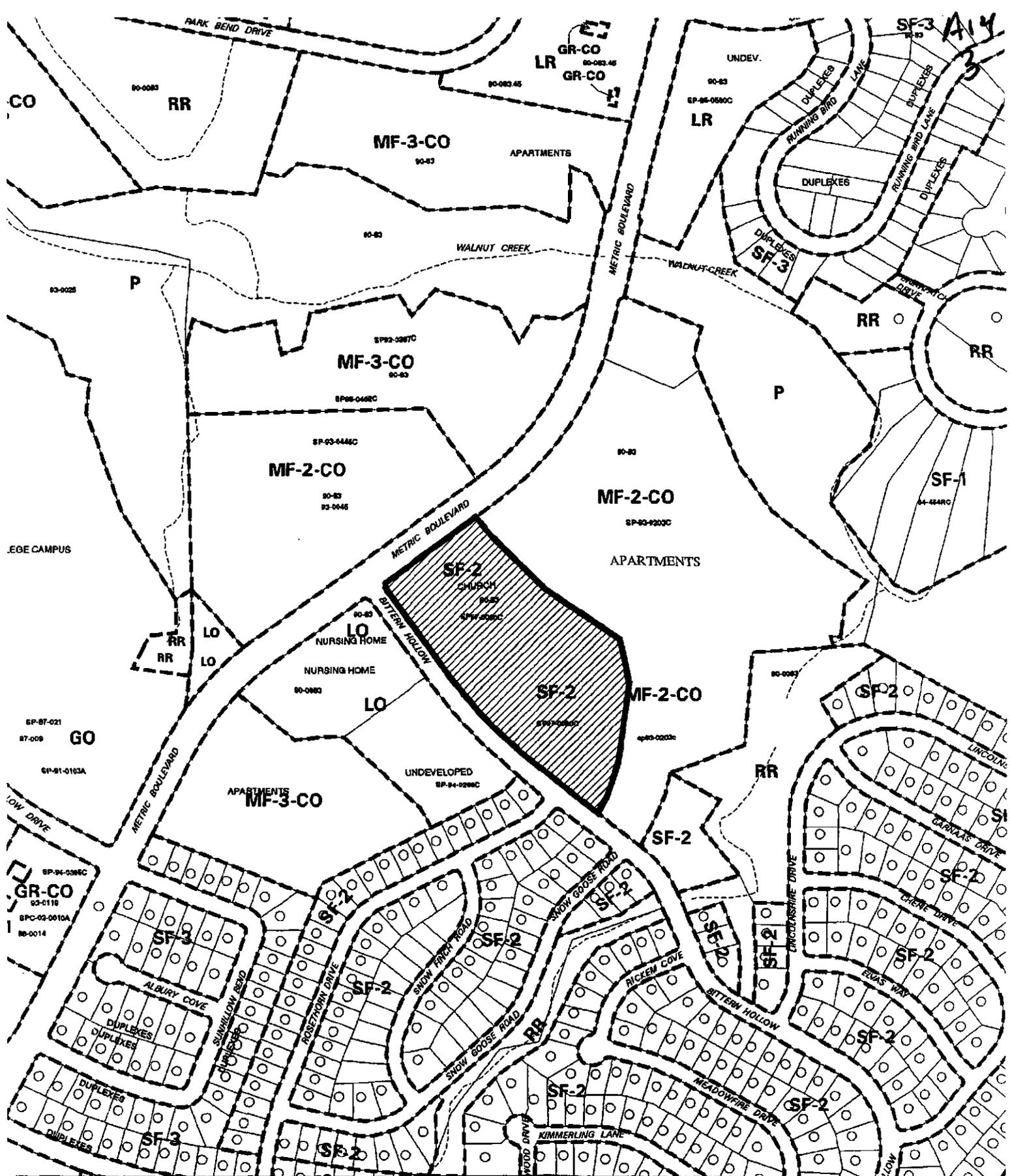
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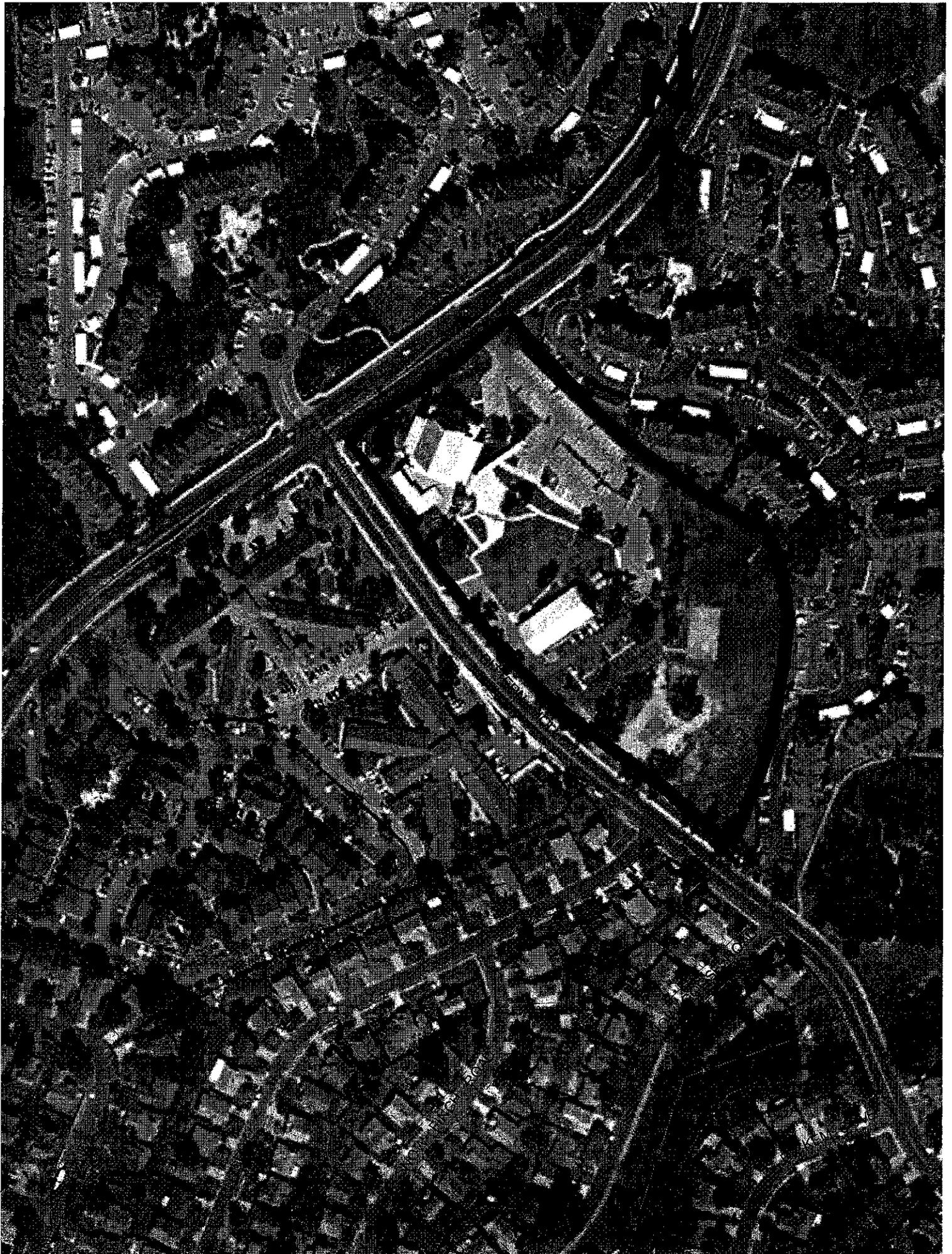
CASE MANAGER: Glenn Rhoades

PHONE: 974-2775

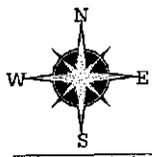


<p>1" = 400'</p>	<p>SUBJECT TRACT </p> <p>PENDING CASE </p> <p>ZONING BOUNDARY </p> <p>CASE MGR: G. RHOADES</p>	<p>ZONING</p> <p>CASE #: C14-03-0183</p> <p>ADDRESS: 12041 BITTERN HOLW</p> <p>SUBJECT AREA (acres): 8.850</p>	<p>DATE: 03-12</p> <p>INTLS: SM</p>	<p>CITY GRID REFERENCE NUMBER</p> <p>L33-34</p>
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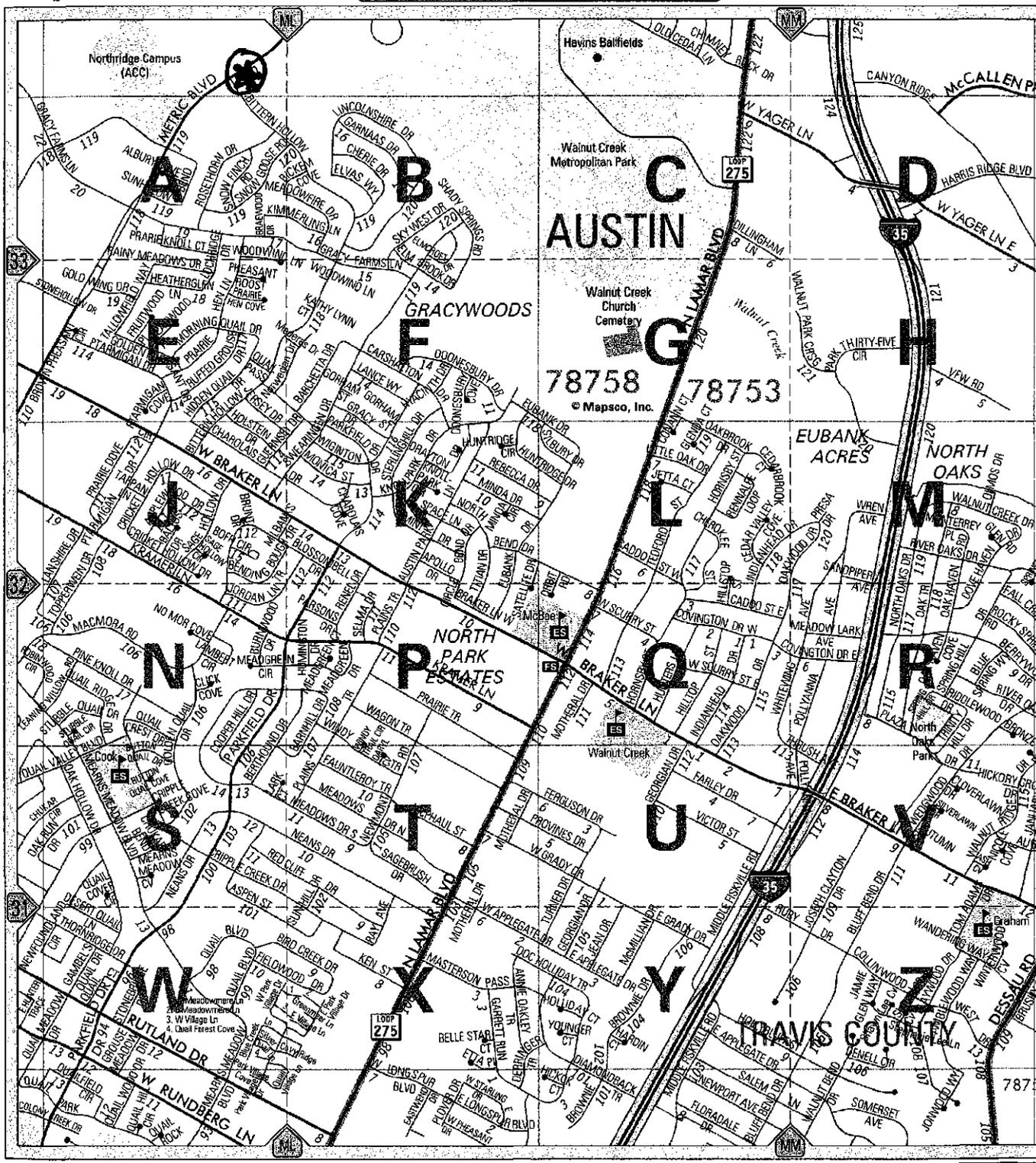
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414
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CONTINUED ON MAP 494



CONTINUED ON MAP 495

CONTINUED ON MAP 496

CONTINUED ON MAP 497



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BOOK PAGE

STAFF RECOMMENDATION

Staff's alternate recommendation is LO-CO, Limited Office-Conditional Overlay district zoning. The conditional overlay will limit the property to 2,000 per day.

BASIS FOR RECOMMENDATION

The proposed zoning should be consistent with the purpose statement of the district sought.

LO, Limited Office district zoning is intended for offices, predominantly serving neighborhood or community needs, which may be located within or adjacent to residential neighborhoods.

The proposed change meets the purpose statement set forth in the Land Development Code. It is located on the periphery of a single-family neighborhood and will potentially provide services for nearby residents.

The proposed zoning should promote consistency, and orderly planning.

The proposed change is compatible with the surrounding area. To the west of the subject tract is a nursing home also zoned LO. In addition, the single-family neighborhood to the south is set far enough back that the proposed change would not be an intrusion.

The proposed zoning should allow for a reasonable use of the property.

The LO zoning district would allow for a fair and reasonable use of the site. LO zoning is appropriate for this site because of the location of the property along Metric Blvd.

EXISTING CONDITIONS

Site Characteristics

The site is currently occupied with a Church.

Transportation

No additional right-of-way is needed at this time. Additional right-of-way may be acquired for Metric Boulevard at the time of subdivision or site plan.

The trip generation under the requested zoning is estimated to be 10,820 trips per day, assuming that the site develops to the maximum intensity allowed under the zoning classification (without consideration of setbacks, environmental constraints, or other site characteristics). The proposed 13,000sf addition to the church will generate approximately 118 vehicles per day for a total of 409 vehicles per day generated by the church

A traffic impact analysis was waived for this case because the applicant agreed to limit the intensity and uses for this development. If the zoning is granted, development should be limited through a conditional overlay to less than 2,000 vehicle trips per day. [LDC, 25-6-117]

Capital Metro bus service is available along Metric Boulevard (Route #42).

Metric Boulevard is classified in the Bicycle Plan as a Priority One bike route. (Route #39).

Bittern Hollow is classified in the Bicycle Plan as a Priority One bike route. (Route #47)

There are existing sidewalks along Metric Boulevard and Bittern Hollow.

Impervious Cover

The site is not located over the Edward's Aquifer Recharge Zone. The site is in the Desired Development Zone. The site is in the Walnut Watershed of the Colorado River Basin, which is classified as a Suburban Watershed by Chapter 25-8 of the City's Land Development Code. Under current watershed regulations, development or redevelopment on this site will be subject to the following impervious cover limits:

<i>Development Classification</i>	<i>% of Net Site Area</i>	<i>% with Transfers</i>
Single-Family (minimum lot size 5750 sq. ft.)	50%	60%
Other Single-Family or Duplex	55%	60%
Multifamily	60%	70%
Commercial	80%	90%

Environmental

According to flood plain maps, there is no floodplain within, or adjacent to the project boundary.

Standard landscaping and tree protection will be required in accordance with LDC 25-2 and 25-8 for all development and/or redevelopment.

At this time, site specific information is unavailable regarding existing trees and other vegetation, areas of steep slope, or other environmental features such as bluffs, springs, canyon rimrock, caves, sinkholes, and wetlands.

Under current watershed regulations, development or redevelopment on this site will be subject to the following water quality control requirements:

- Structural controls: Sedimentation and filtration basins with increased capture volume and 2 year detention.

Right of Way

The scope of this review is limited to the identification of needs for dedication and/or reservation of right-of-way for funded Capital Improvement Program (C.I.P.) Roadway Construction Projects and Transportation Systems Management (T.S.M.) Projects planned for implementation by the City of Austin. No aspect of the proposed project is being considered or approved with this review other than the need for right-of-way for City projects. There are separate right-of-way dedication and reservation requirements enforced by other Departments and other jurisdictions to secure right-of-way for roadway improvements contained in the Austin Metropolitan Area Roadway Plan, roadway projects funded by County and State agencies, and for dedication in accordance with the functional classification of the roadway.

We have reviewed the proposed subdivision, site plan, or zoning case and anticipate no additional requirement for right-of-way dedication or reservation for funded C.I.P. or T.S.M. projects at this location.

Water and Wastewater

The site is served with City water and wastewater utilities. If building additions are proposed, the landowner will be responsible for providing all required water and wastewater utility improvements, system upgrades, offsite main extension, utility adjustment, and relocation. Also, the utility plan must be reviewed and approved by the Austin Water Utility. The plan must be in accordance with the City's utility design criteria.

Compatibility Standards

The site is subject to compatibility standards along the southwestern property line that adjacent to the SF-2 zoned property with an existing single-family development across Bittern Hollow. Along that property line, the following regulations will apply:

- No structure in excess of three stories or 40 feet in height may be constructed within 100 feet of the property line of the single-family property.
- For a structure more than 100 feet but not more than 300 feet from the single-family property line, a structure may attain a height of 40 feet plus one foot for each 10 feet if distance in excess of 100 feet from the property zoned SF-5 or more restrictive.
- For a structure more than 300 feet but not more than 540 feet from the single-family property line, a structure may attain a height of 60 feet plus one foot for each four feet if distance in excess of 300 feet from the property zoned SF-5 or more restrictive.
- A fence, berm or dense vegetation must be provided to screen adjoining properties from views of parking, mechanical equipment, storage, and refuse collection.

Additional design regulations will be enforced at the time a site plan is submitted.

12. C14-03-0182 – HILL COUNTRY DAIRIES (Dan McMahon), By: Vision Design Group (Andrew Guzman, Jr.), 901 W. Braker Lane. (Walnut Creek). **FROM GO TO CS. ALTERNATE RECOMMENDATION: GR-CO. City Staff: Glenn Rhoades, 974-2775.**

APPROVED STAFF'S RECOMMENDATION OF GR-CO ZONING; BY CONSENT.

[J.M; J.G 2ND] (9-0)

13. C14-03-0186 – TOBIN TRACT, By: Slaughterway Retail, Ltd. (Andy Pastor), Doucet & Associates (Ted McConaghy), 9212 South I-35 Svc. Rd. SB. (Onion Creek). **FROM SF-2 TO GR-CO. RECOMMENDED. City Staff: Wendy Walsh, 974-7719.**

APPROVED STAFF'S RECOMMENDATION OF GR-CO ZONING WITH THE CONDITION TO REMOVE HOTEL/MOTEL FROM THE LIST OF PROHIBITED USES (WILL BE PERMITTED); PROHIBIT ALL AUTOMOTIVE RELATED USES; BY CONSENT.

[J.M; J.G 2ND] (9-0)

14. C14-03-0183 – CATHOLIC DIOCESE OF AUSTIN (Reverend Gregory M. Aymond), By: Bury & Partners, Inc. (James Schissler), 12041 Bittern Hollow. (Walnut Creek). **FROM SF-2 TO LO. ALTERNATE RECOMMENDATION: LO-CO. City Staff: Glenn Rhoades, 974-2775.**

APPROVED STAFF'S RECOMMENDATION OF LO-CO ZONING; PROFESSIONAL OFFICE AS THE ONLY ALLOWED LO USE AND ALL NO (NEIGHBORHOOD OFFICE) AND CIVIC USES; AND 2000 VEHICLE TRIP LIMIT PER DAY.

[M.W, J.G 2ND] (9-0)

15. C14R-86-068(RCT) – CEDAR ELM RESTRICTIVE COVENANT TERMINATION, By: Cedar Elm Partners, Ltd. (Henry W. Branson III), Bennett Consulting (Jim Bennett), 13205 Burnet Road. (Walnut Creek). **The applicant is requesting to delete a restrictive covenant that allows for a rollback to General Office (GO) district zoning on the site. RECOMMENDED. City Staff: Sherri Gager, 974-3057.**

APPROVED STAFF'S RECOMMENDATION; BY CONSENT.

[J.M; J.G 2ND] (9-0)

ORDINANCE NO. _____

AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 12041 BITTERN HOLLOW FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO LIMITED OFFICE-CONDITIONAL OVERLAY (LO-CO) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from single family residence standard lot (SF-2) district to limited office-conditional overlay (LO-CO) combining district on the property described in Zoning Case No.C14-03-0183, on file at the Neighborhood Planning and Zoning Department, as follows:

Lot 1, Village of Walnut Creek, Phase 1A, Section 6, Subdivision, a subdivision in the City of Austin, Travis County, Texas, according to the map or plat of record in Plat Book 87, Pages 158d-159a, of the Plat Records of Travis County, Texas, (the "Property")

locally known as 12041 Bittern Hollow, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "A".

PART 2. The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

1. A site plan or building permit for the Property may not be approved, released, or issued, if the completed development or uses of the Property, considered cumulatively with all existing or previously authorized development and uses, generate traffic that exceeds 2,000 trips per day.
2. The following uses are prohibited uses of the Property:

Art and craft studio (limited)	Communications services
Medical offices	Convalescent services
Cultural services	

1 Except as specifically restricted under this ordinance, the Property may be developed and
2 used in accordance with the regulations established for the limited office (LO) base district
3 and other applicable requirements of the City Code.
4

5 **PART 3.** This ordinance takes effect on _____, 2004.
6

7 **PASSED AND APPROVED**
8

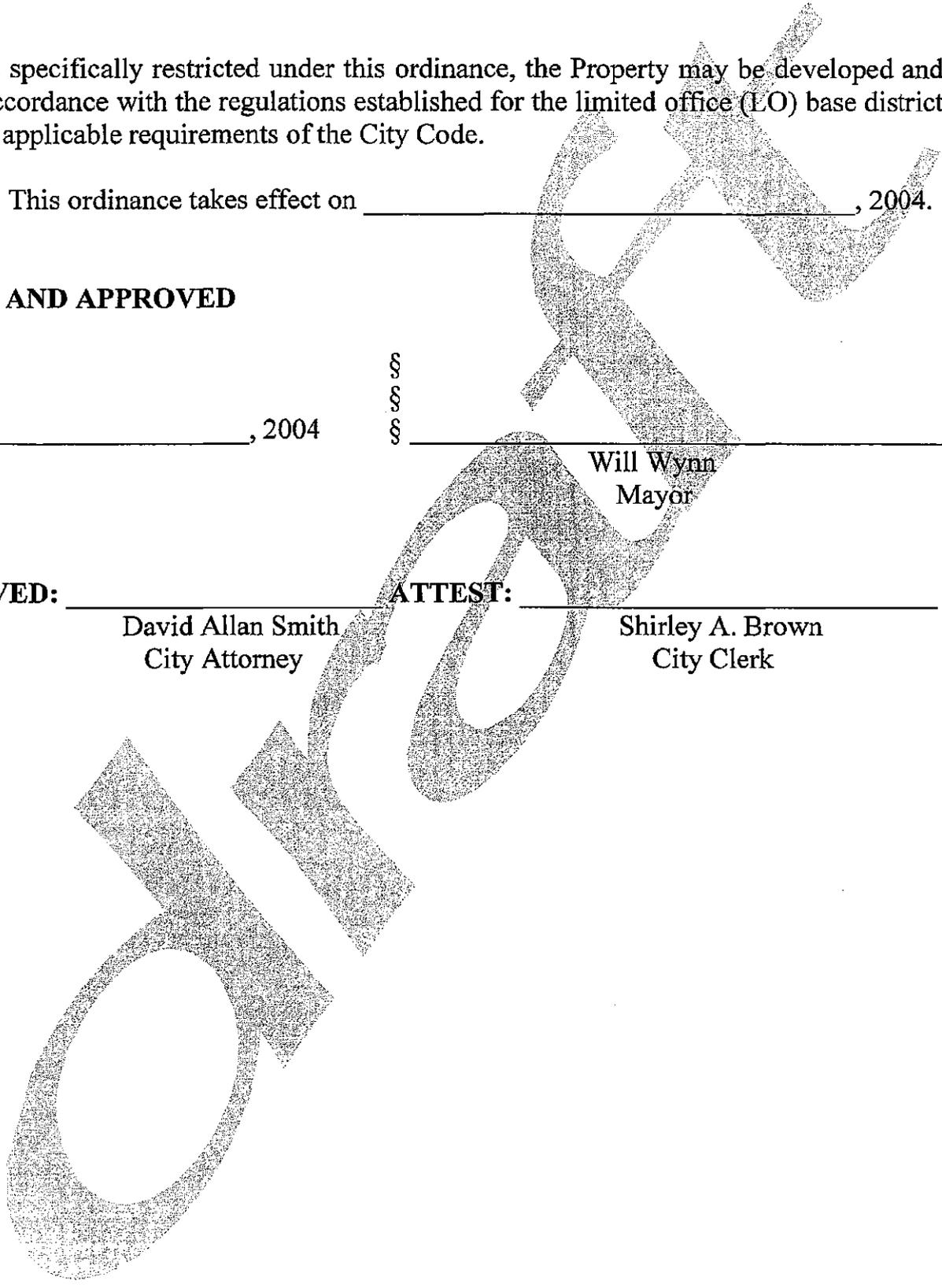
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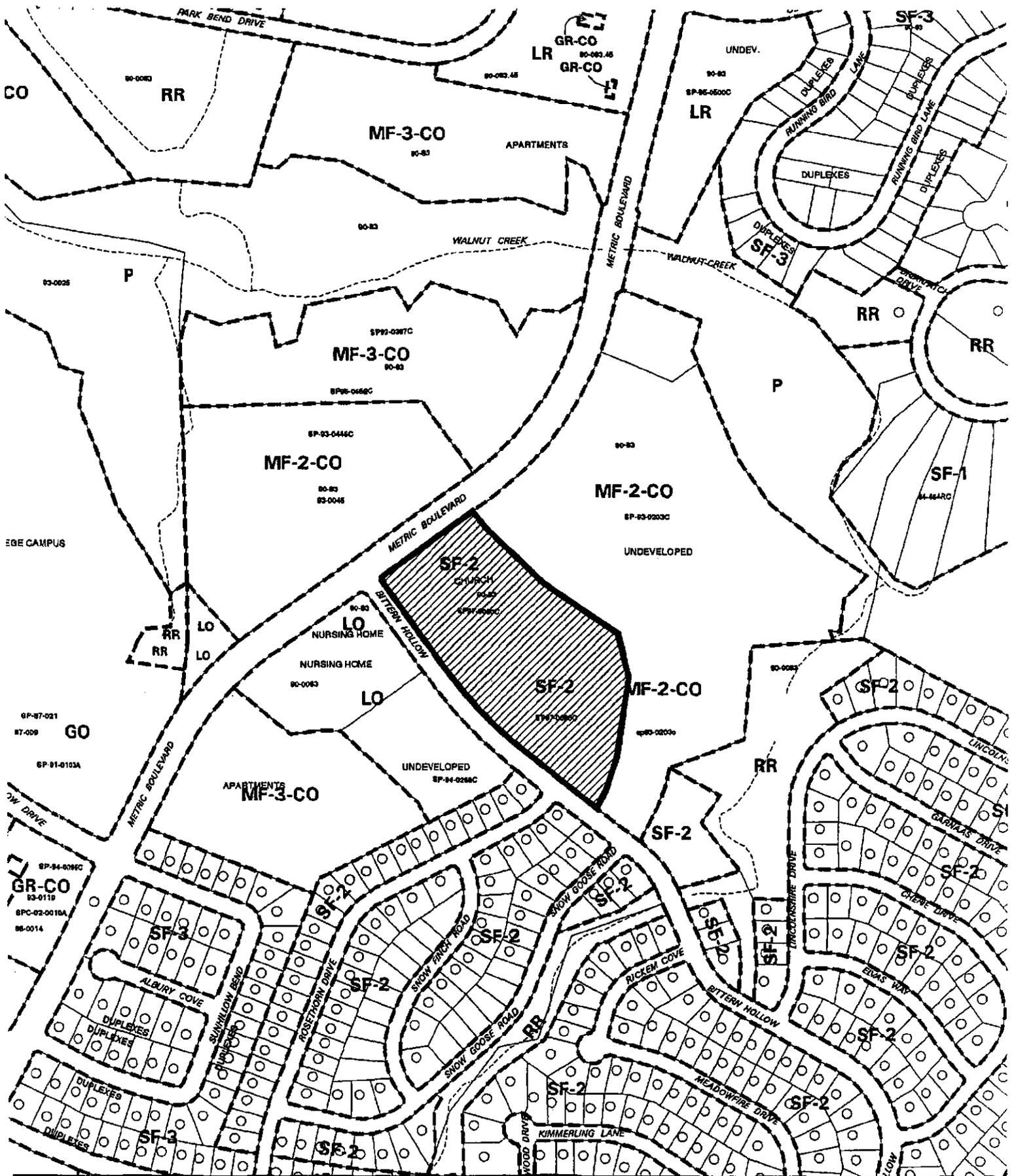
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11
12
13 Will Wynn
14 Mayor

15
16
17 **APPROVED:** _____
18 David Allan Smith
19 City Attorney

ATTEST: _____
Shirley A. Brown
City Clerk





 1" = 400'	SUBJECT TRACT 	ZONING EXHIBIT A	CITY GRID REFERENCE NUMBER L33-34		
	PENDING CASE 				
	ZONING BOUNDARY 			CASE #: C14-03-0183	
	CASE MGR: G. RHOADES			ADDRESS: 12041 BITTERN HOLW	DATE: 03-12
				SUBJECT AREA (acres): 8.850	INTLS: SM